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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,758	12/21/2000	Keith McCloghrie	CISCP548	4513

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RITTER, LANG & KAPLAN  
12930 SARATOGA AE. SUITE D1  
SARATOGA, CA 95070

EXAMINER

KLINGER, SCOTT M

ART UNIT	PAPER NUMBER
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2153

5

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/748,758

Applicant(s)

MCCLOGHRIE ET AL.

Examiner

Scott M. Klinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Claims 1-23 are pending.

#### *Priority*

No claim for priority has been made. The effective filing date for the subject matter defined in the pending claims in the application is 21 December 2000.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Nguyen et al. (U.S. Patent Number 6,219,703, hereinafter “Nguyen”). Nguyen discloses a method and apparatus for constructing a device management information base in a network management station. Nguyen shows:

In referring to claim 1,

- Receiving at a management station a list of notifications supported by an agent:

*“NMS retrieves list of standard MIBs supported by using Get-next over the standard MIBs table.*

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*Using this information, NMS generates basic structure for the MIB and constructs import statements"*

*- Nguyen, Fig. 5, element 508*

*"NMS retrieves list of Traps supported by using Get-next over Traps supported table. This information is used to define Traps that can be generated by the device."*

*- Nguyen, Fig. 5, element 514*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Sending a message to the agent specifying objects for each of the notifications:

*"Preferably the method and apparatus will utilize existing SNMP methods for communicating between the NMS and the device, so that no additional protocols or connections are required for extracting the MIB information."*

*- Nguyen, col. 1, lines 37-40*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP

- Receiving a notification containing the specified objects upon occurrence of an event:

*"The Traps supported table 210 identifies all the traps that are supported by the agent 110. Each entry in the table 210 identifies one trap. The fields of each entry correspond directly to the fields required for defining an SNMP trap. The Identifier field should be the trap enterprise specific ID."*

*- Nguyen, col. 3, lines 57-61*

Receiving a notification containing the specified objects upon occurrence of an event (referred to as Traps in SNMP) is inherently implied in a system that uses SNMP

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In referring to claim 2,

- Sending a message comprises utilizing a simple network management protocol (SNMP) protocol:

*Nguyen, col. 1, lines 37-40 (quoted above)*

In referring to claim 3,

- Receiving a management information base:

*Nguyen, Fig. 5, element 508 (quoted above)*

In referring to claim 4,

- Sending a modified management information base:

*Nguyen, Fig. 5, element 508 (quoted above)*

In referring to claim 5,

- Receiving a list of objects associated with each of the notifications:

*Nguyen, Fig. 5, element 514 (quoted above)*

A list of objects associated with each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in an MIB

In referring to claim 6,

- Adding new objects to the notification:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP, which inherently implies adding new objects to the notification

In referring to claim 7,

- Reordering the objects in the notification

*- Nguyen, col. 1, lines 37-40*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP, which inherently implies reordering the objects in the notification

In referring to claim 8,

- Receiving a list of variable bindings for each of the notifications:

*Nguyen, Fig. 5, element 514 (quoted above)*

Receiving a list of variable bindings for each of the notifications is inherently implied in a system that receives a MIB

In referring to claim 9,

- Sending a list of variable bindings for each of the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP

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In referring to claim 10,

- Sending a request from the management station for information on notifications supported by the agent:

*“NMS retrieves ASN.1 types supported by using Get-next over ASN.1 types table. NMS uses this information to construct ASN.1 types supported and object identifier macros. This table also defines entry list for all tables supported by SNMP agent for device”*

*- Nguyen, Fig. 5, element 510*

In referring to claim 11,

- Sending a Get request

*Nguyen, col. 1, lines 37-40 (quoted above)*

Sending a Get request is inherently implied in a system that uses SNMP

In referring to claim 12,

- Receiving a Trap message

*Nguyen, col. 1, lines 37-40 (quoted above)*

Receiving a Trap message is inherently implied in a system that uses SNMP

In referring to claim 13,

- Receiving an Inform message

*Nguyen, col. 1, lines 37-40 (quoted above)*

Receiving an Inform message is inherently implied in a system that uses SNMP

In referring to claim 14,

- Receiving at a management station a list of notifications supported by an agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Sending a message to the agent specifying objects for each of the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP

- Receiving a notification containing the specified objects upon occurrence of an event:

*Nguyen, col. 3, lines 57-61 (quoted above)*

Receiving a notification containing the specified objects upon occurrence of an event (referred to as Traps in SNMP) is inherently implied in a system that uses SNMP

- A computer readable storage medium:

*"The communication interface 302 is coupled to a processing system 304 for processing the communications and for controlling the NMS 102. The processing system 304 comprises a conventional processor 306 and a conventional memory 308. The memory 308 is programmed with the preloaded MIBs 106 and NMS discovery application 108 in accordance with the present invention."*

*- Nguyen, col. 3, line 66 – col. 4, line 5*



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In referring to claim 15,

- The computer readable medium is selected from the group consisting of CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, and data signal embodied in a carrier wave:

*Nguyen, col. 3, line 66 – col. 4, line 5 (quoted above)*

System memory and hard drives are inherently implied in conventional memory

In referring to claim 16,

- The management station comprises a SNMP manager:

The management station of Nguyen is an SNMP manager

In referring to claim 17,

- Requesting information on notifications from the agents:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

In referring to claim 18,

- A processor and a storage medium having the preferred configuration stored thereon:

*Nguyen, col. 3, line 66 – col. 4, line 5 (quoted above)*

- Receiving at a management station a list of notifications supported by an agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Sending a message to the agent specifying objects for each of the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP

- Receiving a notification containing the specified objects upon occurrence of an event:

*Nguyen, col. 3, lines 57-61 (quoted above)*

Receiving a notification containing the specified objects upon occurrence of an event (referred to as Traps in SNMP) is inherently implied in a system that uses SNMP

In referring to claim 19,

- Means for receiving information specifying contents of notifications supported by an agent within a network at a management station:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Means for sending instructions from the management station to the agent to modify the contents of the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP

In referring to claim 20,

- Receiving at a management station a list of notifications supported by an agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Modify a list of objects for the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP, which inherently implies modification of the list of objects

- Sending a notification containing the specified objects upon occurrence of an event:

*Nguyen, col. 3, lines 57-61 (quoted above)*

Sending a notification containing the specified objects upon occurrence of an event (referred to as Traps in SNMP) is inherently implied in a system that uses SNMP

In referring to claim 21,

- Receiving a request from the management station for a list of objects currently contained within notifications supported by the agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

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In referring to claim 22,

- Sending a MIB containing a list of the objects currently contained within the notifications supported by the agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

In referring to claim 23,

- A processor and a storage medium having the preferred configuration stored thereon:

*Nguyen, col. 3, line 66 – col. 4, line 5 (quoted above)*

- Receiving at a management station a list of notifications supported by an agent:

*Nguyen, Fig. 5, element 508 (quoted above); Nguyen, Fig. 5, element 514 (quoted above)*

A list of notifications supported by an agent (referred to as Traps in SNMP) is inherently implied in an MIB

- Modify a list of objects for the notifications:

*Nguyen, col. 1, lines 37-40 (quoted above)*

Specifying objects for each of the notifications (referred to as Trap variable bindings in SNMP) is inherently implied in a system that uses SNMP, which inherently implies modification of the list of objects

- Sending a notification containing the specified objects upon occurrence of an event:

*Nguyen, col. 3, lines 57-61 (quoted above)*

Sending a notification containing the specified objects upon occurrence of an event (referred to as Traps in SNMP) is inherently implied in a system that uses SNMP

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Klinger whose telephone number is (703) 305-8285. The examiner can normally be reached on M-F 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott M. Klinger  
Examiner  
Art Unit 2153

smk

  
**FRANTZ B. JEAN**  
**PRIMARY EXAMINER**